

FILED
 UNITED STATES DISTRICT COURT
 THE DISTRICT OF MASSACHUSETTS

2007 JAN 30 P 2:43

SUFFOLK, SS

DOCKET NUMBER 05-CV-11349-RCL

DISTRICT COURT
 DISTRICT OF MASS.

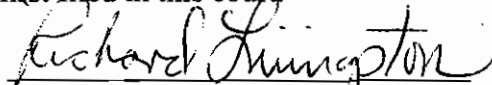
***** RICHARD LIVINGSTON * Plaintiff, Pro Se * Vs. * Mortgage Service Center, Inc. Cumex, Inc* Chittenden Bank of Vermont, Inc., * Randolph Avon Holbrook Federal Credit * Union, & Victoria Schepps * Defendants * *****	Pro Se, Plaintiffs MOTION for CONSOLIDATION OF CASES LR 40.1(J)
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Pursuant to Local Rule 40.1 Assignment of Cases Plaintiff, Pro Se Richard Livingston asks Honorable Judge Reginald C. Lindsay in accordance with Local Rule 40.1(J) Motion for Consolidation of Cases for the following reasons:

1. (Richard Livingston v. M.B.T.A. Employees Credit Union C.A. No.:1:05-CV-11349-RCL) was the first case filed with the court on June 27th, 2005, followed by (Richard Livingston v. Mortgage Service Center, Inc., CUMEX, Inc., Chittenden Bank of Vermont, Inc., R.A.H. - Federal Credit Union, Victoria Schepps C.A. No.:1:05-CV-11350-MLW).
2. It is in the interest of justice and to further the efficient performance of the business of this Honorable Court.
3. Cases involve substantially the same diversity question of fact and law with the exception of the duo-question of Plaintiff Pro Se Richard Livingston's Bankruptcy Protection against Discrimination by Defendant MBTA Employees Credit Union, (Richard Livingston v. M.B.T.A. Employees Credit Union C.A. No.:1:05-CV-11349-RCL) and their election, all six including Defendants Mortgage Service Center, Chittenden Bank of Vermont, Cumex, RAH - Federal Credit Union, and Victoria Schepps, Violation of the Stay of Execution, Violation of the Bankruptcy protection, Violation of the Gramm-Leach-Bliley Act of 1999 protection, Massachusetts Consumer Protection Act Massachusetts General Law Chapter 93A and Federal Trade Commission Act (FTC Act), 15 U.S.C., SEC. 45(a)(1) unfair and deceptive practices by all six regarding the collusion surrounding the transactions and events involve the same property at 15 Quarry Lane, Milton, Commonwealth of Massachusetts, County of Norfolk.

Wherefore; In the interest of saving the Honorable Court's time, money, valuable resource, efficiency of justice the Plaintiff Pro Se Richard Livingston asks the Honorable Court to consider consolidating (Richard Livingston v. M.B.T.A. Employees Credit Union C.A. No.:1:05-CV-11349-RCL) and (Richard Livingston v. Mortgage Service Center, Inc., CUMEX, Inc., Chittenden Bank of Vermont, Inc., R.A.H. - Federal Credit Union, Victoria Schepps C.A. No.:1:05-CV-11350-MLW) in accordance with Local Rule 40.1(J) Motion for Consolidation of Cases. A motion for consolidation of two or more cases shall be made in the case first filed in this court.

Date January 30, 2007

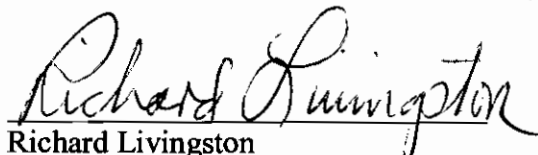

Richard Livingston, Plaintiff, Pro Se,
149 Warren Avenue
Milton, Massachusetts 02186-2009
617-698-4333 HM

Attached: Certificate of Services
MBTA Employees CU & Mortgage Service Center, Et Al

CERTIFICATE OF SERVICE

I, Richard Livingston, Plaintiff, Pro Se hereby swear and affirm that I have this day January 30, 2007 notified Peter C. Netburn, Esq. of Hermes, Netburn, O'Connor & Spearing, P.C. 265 Franklin Street, Seventh Floor Boston, MA 02110-3113 legal representative for MBTA Employees Credit Union, Defendant {MBTA Employees Credit Union, South Boston, Massachusetts} by United States Postal Service Hermes, Netburn, O'Connor & Spearing, P.C. 265 Franklin Street, Seventh Floor Boston, MA 02110-3113

Date January 30, 2007


Richard Livingston
149 Warren Avenue,
Milton Massachusetts 02186-2009
617-698-4333 HM

AND

CERTIFICATE OF SERVICE

I, Richard Livingston, Plaintiff, Pro Se hereby swear and affirm that I have this day Date January 30, 2007 notified Attorney David J. Apfel, Legal Representative for Defendant's {Chittenden Bank, Burlington, Vermont, Mortgage Service Center, Brattleboro, Vermont,

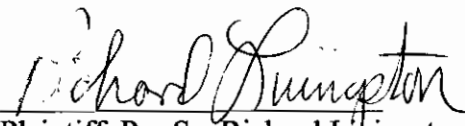
Cumex Inc, (Credit Union Mortgage Exchange), Lexington, Massachusetts} by United States Postal Service c/o Goodwin Procter LLP, Exchange Place, Boston, MA. 02190.

AND

CERTIFICATE OF SERVICE

I, Richard Livingston, Plaintiff, Pro Se hereby swear and affirm that I have this day Date January 30, 2007 notified Attorney Harvey Weiner, Legal Representative for Defendant {RAH Federal Credit Union, 47 DiAuto Drive, Randolph, Massachusetts 02368-4501} by United States Postal Service c/o Peabody & Arnold LLP, 30 Rowes Wharf, Boston, MA. 02110.

Date January 30, 2007

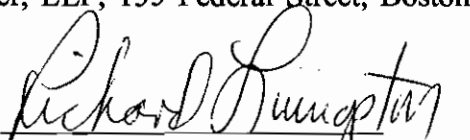

Plaintiff, Pro Se, Richard Livingston
149 Warren Avenue,
Milton Massachusetts 02186-2009
617-698-4333

AND

CERTIFICATE OF SERVICE

I, Richard Livingston, Plaintiff, Pro Se hereby swear and affirm that I have this day Date January 30, 2007 notified Attorney Christopher Flanagan & George C. Rockas, Legal Representatives for Defendant {Victoria Schepps, Esq.} by United States Postal Service c/o Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, 155 Federal Street, Boston, MA. 02110.

Date January 30, 2007


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